

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC)

*This document relates to:*

*Ashton v. Al Qaeda Islamic Army*, 02-CV-6977 (RCC)

**AFFIDAVIT OF JOHN FAWCETT IN SUPPORT OF PLAINTIFFS' OPPOSITION TO  
THE MOTION TO DISMISS OF SANABEL AL KHEER, INC. AND SANA-BELL, INC..**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

JOHN FAWCETT, being duly sworn, deposes and says:

1. For over three years, I have been working under contract for Kreindler & Kreindler LLP as a researcher in the case of *Kathleen Ashton v. al Qaeda Islamic Army et al.*
2. As part of my duties I was asked to research the relations amongst Sanabel al Keer, Inc., Sana-Bell, Inc., Sanabil al Khair, the International Islamic Relief Organization (IIRO) and the Muslim World League (MWL).
3. As part of my duties I was asked to research the connections between Sanabel al Kheer, Inc, Sana-Bell, Inc. and al Qaeda.
4. On August 3, 2006, the US Department of the Treasury designated two branches of the IIRO as well as its Executive Director of the Eastern Province branch for bankrolling the al Qaeda network. See Exhibit 1.

5. Sanabil al Kheer is an endowment fund established by the IIRO. The IIRO holds high profile annual fund-raising events for Sanabil al Kheer. See Exhibit 2.
6. In 1991, the International Relief Organization filed form 1023 with the IRS. In this application for tax-free status, the IRO described the background of their key officers and directors. Sulaiman al Ali was one director. In the 1023 he is described as an IIRO fundraiser. On June 15, 2003, Soliman Biheiri was interviewed by US Department of Treasury officials. In the interview Biheiri described meeting Sulaiman Al Ali in the US in 1989. Excerpts from the 1023 and the Treasury Dept memo are Exhibit 3.
7. In 2000, Sana-Bell, Inc. applied to do business in Virginia. As part of its application, Sana-Bell used its articles of incorporation from 1989 in Washington DC. Three of its officers listed an address in Saudi Arabia. That address is listed by a Saudi Arabian government Ministry as being that of IIRO. Sana-Bell's articles of incorporation and a portion of the website of the Saudi Arabian Ministry of Islamic Affairs are Exhibit 4.
8. In 1993, Sana-Bell, Inc. filed a form 1023 with the IRS. In its Exhibit D, the IIRO address in Saudi Arabia was used for three of the seven directors including the chairman of the board. See Exhibit 5.
9. In Exhibit 5 of Sana-Bell's 1023 form Doctor Farid Yasin Quraishi is listed as being a director of the Sana-Bell, Inc. At the same time Dr Quraishi was Secretary General of the IIRO. Sanabil al Khair is considered his brainchild. See Exhibit 6.
10. The remaining three directors from Sana-Bell's application to the IRS were also affiliated with the IIRO and the MWL. An IIRO press release of 1998 states that Suleiman al Rajhi is a member of the IIRO Executive Council. Soliman Biheiri stated in a deposition that al

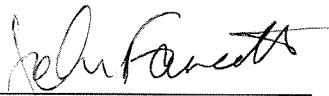
Saati was a volunteer with the IIRO. M. Yaqub Mirza is listed as an Officer/Director of the Muslim World League's branch in Virginia. See Exhibit 7

11. As part of the Sana-Bell Inc application to the IRS, they submitted financial statements for 1993 and 1994. In these statements, Sana-Bell notes that the IIRO has committed to loans to Sana-Bell of \$5 million, of which over \$3 million had already been transferred. The issue of the same 'loans' were the reason the IRS used to turn down Sana-Bell's application for tax-free status. This was confirmed in a 1999 deposition of M Yaqub Mirza. See Exhibit 8
12. In a civil case brought by Sana-Bell, Inc. in Maryland in 1998, Sana-Bell claims its principal place of business to be Jeddah, Saudi Arabia. As noted in Exhibit 4, Jeddah is the headquarters of the IIRO. See Exhibit 9.
13. All of the Sana-Bell Officer/Directors referenced in Exhibit 4 hold positions with the IIRO/MWL. Abdullah al Noshan is an official with the MWL in the US. Al Obaid and Bahfzallah were officers with the IIRO in the UK. See Exhibit 10.
14. All the officer directors of Sanabel al Kheer in August 2000 held positions with the IIRO/MWL. See Exhibit 11
15. The 1992 tax return of the International Relief Organization shows a donation of \$273,000 to the Bosnia and Somalia Relief Fund at the IIRO address in Jeddah. There is another donation to the Islamic African Relief Agency (IARA.) IARA was named by the US Treasury Department as a Specially Designated Global Terrorist. See Ex 12.
16. The document known as the Golden Chain contains the names Saleh Kamel and Ibrahim Afandi. They are both original directors of Sana-Bell, Inc. See Exhibit 4 and Exhibit 13.

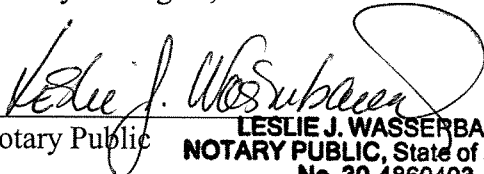
17. In a Declaration in federal court in Virginia filed by an official of the Department of Homeland Security, it is stated that the funds provided by Sana-Bell to BMI have never been accounted for. See Exhibit 14, page 6.

Dated: New York, New York  
August 28, 2006

Respectfully submitted,

  
\_\_\_\_\_  
John Fawcett

Sworn to before me this  
28<sup>th</sup> day of August, 2006

  
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Notary Public **LESLIE J. WASSERBAUER**  
**NOTARY PUBLIC, State of New York**  
**No. 30-4860403**  
**Qualified in Nassau County**  
**Commission Expires June 9, 2010**